UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF NORTH CAROLINA CASE NO. 15 cv 862

KIMBERLY C. DETOMO,)
Plaintiff,)
v.) NOTICE OF REMOVAL
CAROLINA BIOLOGICAL SUPPLY COMPANY,))
Defendant.)))

Defendant Carolina Biological Supply Company gives this Notice of Removal of an action filed by Plaintiff Kimberly C. Detomo ("Detomo") in the General Court of Justice, Superior Court Division for Alamance County, North Carolina. In support of this Notice of Removal, Defendant shows the following:

1. Plaintiff initiated this action on September 8, 2015, by filing a Complaint in the General Court of Justice, Superior Court Division for Alamance County, North Carolina, Case No. 15-CVS-1680. Summons was issued on September 8, 2015. Counsel for Plaintiff mailed Counsel for Defendant a copy of the Complaint by letter dated September 17, 2015 and the letter was received by the undersigned counsel on September 22, 2015. Counsel for Defendant agreed to accept service on behalf of Carolina Biological Supply Company and executed the Stipulation of Acceptance of Service of Process on October 1, 2015.

- 2. This Notice of Removal is filed within thirty (30) days after service of process on Defendant. 28 U.S.C. § 1446(b).
- 3. Defendant removes this action on grounds of federal question jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1441.
- 4. This matter is removable on the basis of federal question jurisdiction because Plaintiff's complaint asserts a claim for gender discrimination and retaliation under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* [Complaint ¶ 22.]
- 5. Defendant is giving this Notice of Removal to all parties and is filing a copy of the Notice with the Clerk of Court for Alamance County, North Carolina. 28 U.S.C. § 1446(d).
- 6. Copies of the Summons as well as Plaintiff's Complaint are attached, marked as Exhibits "A" and "B" respectively and incorporated herein by reference.

WHEREFORE, Defendant requests that the action be removed to this Court.

This the 16th day of October, 2015.

/s/ Kristine M. Sims

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/s/William J. McMahon, IV

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 $Attorneys\ for\ Carolina\ Biological$

Supply Company

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed **NOTICE OF REMOVAL** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: NONE and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

David B. Puryear, Jr. Puryear and Lingle, PLLC Adams Farm Professional Center 5501-E Adams Farm Lane Greensboro, NC 27407

This the 16th day of October, 2015.

/s/ Kristine M. Sims

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